

**CITY OF BELMONT
MEMORANDUM**



TO: Planning Commission

FROM: Rob D. Gill, Assistant Planner

VIA: Carlos de Melo, Community Development Director

SUBJECT: February 7, 2008 Planning Commission Meeting - Agenda Item 5A
Appl. No.2002-0054 – 2847 San Juan Boulevard
Single Family Design Review
Request for Extension of Approval

SUMMARY/ PROJECT DESCRIPTION

The applicant/owner, Kasra Araghi, requests a second/final extension of the Planning Commission approval of a Single Family Design Review to construct a new 2,681 square foot single family residence that is less than the maximum permitted house size of 3,285 square feet for the vacant site at 2847 San Juan Boulevard.

On December 6, 2005, the Planning Commission approved by a vote of 6-1 the subject Single Family Design Review request. On April 17, 2007, the Planning Commission approved an extension of the entitlement, and on May 2, 2007, the Planning Commission approved a Landscape Plan for the project.

The 12,302 square foot interior lot is situated on the southerly side of San Juan Blvd. between Cipriani Blvd. and Monte Cresta Drive. The lot has 100.91 feet of frontage along the road, and a steep upslope of 45% or greater from the front of the property to the rear. The subject property is undeveloped and located in a single family neighborhood developed with one and two-story single-family homes with a mixture of stucco and wood exterior finishes.

The proposed new multi-level contemporary style residence for the subject property would consist of the following:

Dwelling Floor Area Summary	
Proposed Floors	Type of rooms
Ground Level – 552 Sq. Ft.	Two-car garage and elevator shaft
First Level – 1,015 Sq. Ft.	Family room, kitchen, dining/living room, half bath, entry hall, and the upper portion of the elevator shaft.
Second Level – 1,114 Sq. Ft.	Master bedroom and master bath, two other bedrooms, a full second bathroom, a laundry area and the stairwell and landing.
Total = 2,681 Sq. Ft.	

See Attachment IV – December 6, 2005 Planning Commission staff report for additional background information for the project.

As discussed above, the applicant received an extension of the original approval to December 6, 2007, but that approval has expired. Therefore, the applicant/owner is now requesting a second and final extension of the entitlement. The applicable Zoning Ordinance statutes for extension approvals are as follows:

Section 10.5 APPLICATIONS - EXTENSION OF TIME

10.5.1 EXTENSION OF TIME - The Planning Commission may grant up to two 1-year extensions of the expiration dates for variance, conditional use, design review, and exception permits it originally granted upon making the following findings:

- (a) The governing regulations under which the permit was originally approved have not changed in a way that have established different findings, development standards, or evaluation criteria.*
- (b) The applicants have presented a reasonable explanation of the delay in completing the project and have demonstrated intent to complete the project within the next year.*
- (c) The surrounding neighborhood conditions and site characteristics have not changed in a way that would no longer provide a factual basis for positively reaffirming the original findings.*

Section 10.5 allows the Planning Commission to extend planning approvals it originally granted. Such extension is not required to be requested before, or granted prior to the one-year deadline. The Commission has approved, within the last three years, extension requests for Single Family Design Review projects at 1801 Alden Street, 3401 Beresford Avenue, and 905 South Road, and a Conditional Use Permit & Design Review project for 325 Old County Road.

CONCLUSION

Staff has reviewed the request in light of the required findings and found:

- Applicable statutes have not changed via establishment of different findings, standards, or general evaluation criteria.
- The applicant has provided a reasonable explanation for the delay (See Attached Letter dated January 9, 2008). Staff further believes the applicant shows intent to obtain project permits and complete construction within the next year. The applicants are currently in plan check with the City to obtain project building permits.

- There have been no significant changes to the surrounding San Juan Boulevard neighborhood. Within the past year, the Planning Commission approved a new single family dwelling at 2932 San Juan Boulevard. Building permits have not yet been issued for this project.
- No other recent building permits (for significant additions/modifications) or zoning entitlements within the last year have been issued for other properties within 300 feet of the subject site. There have also been no changes to the characteristics of the project site.

Staff believes an extension is warranted. Should the Commission grant the extension, the entitlements would be valid until December 6, 2008 (or less time as deemed appropriate by the Commission), unless a building permit has been issued. In conclusion, staff believes the findings for granting a second and final extension (Section 10.5.1. a-c) can be made in the affirmative.

ATTACHMENTS

- I. Resolution approving extension of Single Family Design Review
- II. Conditions of Approval
- III. Applicant Letter – January 9, 2008 (Commission Only)
- IV. December 6, 2005 Planning Commission staff report (Commission Only)

PLEASE NOTE: Attachments III and IV are not included as part of this document. Please contact the Community Development Department at (650) 595-7417 for more information on viewing these attachments.

RESOLUTION NO. 2008- _____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
APPROVING AN EXTENSION OF A SINGLE FAMILY DESIGN REVIEW
FOR 2847 SAN JUAN BOULEVARD (APPL. NO. 2002-0054)

WHEREAS, the applicant, Patrick Flanders, requests an extension of the Planning Commission approval of a Single Family Design Review to construct a new 2,681 square foot single family residence that is less than the maximum permitted house size of 3,285 square feet for the vacant site at 2847 San Juan Boulevard; and,

WHEREAS, the Planning Commission of the City of Belmont finds the project to be Categorically Exempt pursuant to the California Environmental Quality Act, Section 15303; and,

WHEREAS, the Planning Commission hereby adopts the staff memorandum dated February 7, 2008 and the facts contained therein as its own findings of facts; and,

WHEREAS, The Planning Commission has considered the applicant's request for an extension of the Single Family Design Review entitlements and finds the required findings per Section 10.5.1 (a-c) (Extension of Time) are made in the affirmative as follows:

- (a) *The governing regulations under which the permit was originally approved have not changed in a way that have established different findings, development standards, or evaluation criteria.*

The applicable Single Family Design Review statutes have not significantly changed within the last year such that different findings, development standards, or evaluation criteria have been established. This finding is affirmed.

- (b) *The applicants have presented a reasonable explanation of the delay in completing the project and have demonstrated intent to complete the project within the next year.*

The applicants have provided a reasonable explanation for the delay citing additional time necessary to completely answer comments from the Public Works Department and the City Geologist, Cotton, Shires & Associates. In addition, the applicant believed it was not appropriate to attempt to finish all of the groundwork associated with the construction of the home in the short time available before the winter grading moratorium. The applicant shows intent to obtain project building permits and commence the development within the next year. This finding is affirmed.

- (c) *The surrounding neighborhood conditions and site characteristics have not changed in a way that would no longer provide a factual basis for positively reaffirming the original findings.*

There have been no significant changes to the surrounding San Juan Boulevard neighborhood. Within the past year, the Planning Commission approved a new single family dwelling at 2828

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San Juan Boulevard, and also a building addition for the residence at 2932 San Juan Boulevard. Building permits have not yet been issued for this project. No other recent building permits (for significant additions/modifications) or zoning entitlements within the last year have been issued for other properties within 300 feet of the subject site. There have also been no changes to the characteristics of the project site. This finding is affirmed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Belmont hereby extends Single Family Design Review approval to construct a new 2,681 square foot single family dwelling at 2847 San Juan Boulevard to December 6, 2008, subject to the conditions in the attached Exhibit "A".

* * * * *

I hereby certify that the foregoing resolution was duly and regularly passed and adopted by the Planning Commission of the City of Belmont at a regular meeting held on February 7, 2008 by the following vote:

AYES,
COMMISSIONERS: _____
NOES,
COMMISSIONERS: _____
ABSENT,
COMMISSIONERS: _____
ABSTAIN,
COMMISSIONERS: _____
RECUSED,
COMMISSIONERS: _____

Carlos de Melo
Planning Commission Secretary

EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL – **PC FINAL**
SINGLE FAMILY DESIGN REVIEW
2847 SAN JUAN BOULEVARD (APPL. NO.2002-0054)

I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

Planning Division

1. Plans submitted for building permit and all construction shall conform to the plans on file in the Planning Division for Appl. No. 2002-0054 prepared by Flanders Bay Co. and Luzuriaga Taylor, Inc., Civil Engineers, date stamped November 2, 2005. The Director of Community Development may approve minor modifications to the plans.
2. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.
3. Prior to issuance of building permits, the property owners shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that they have read, understand and agree to these conditions of approval.
4. In accordance with the Belmont Zoning Ordinance, the permit(s) granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.
5. In the event that this approval is challenged by a third party, the property owners and all assignees will be responsible for defending against this challenge, and agree to accept responsibility for defense at the request of the City. The property owners and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the

- the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.
6. The property owners shall prepare documents to the satisfaction of the Community Development Director and record such documents to confirm that Assessor's Parcel # 43-322-270 is a single lot prior to the issuance of any building or site development permits.
 7. During construction activities which require frequent vehicle movements onto and off of the site, such as grading and site work, the applicant shall be required to provide flag persons on each side of the site on San Juan Blvd. to direct traffic to ensure that these vehicle movements can be done in safety. This is particularly important for traffic approaching the site from around the curve in the roadway to the east.
 8. Prior to issuance of a building permit for the dwelling, the applicant shall submit a final landscaping and driveway paving plan subject to the review and approval of the Planning Commission. The landscaping and driveway paving plan shall:
 - Provide enhanced planting in the front yard of the proposed dwelling. The plan shall also be consistent with the retention of the existing oaks, provide additional screening if possible, provide ground cover for soil stability, and provide a finished and attractive appearance to the site. The plan shall also include "keyhole cuts" to allow for climbing vine plantings adjacent to the driveway and potential paving alternatives for the driveway surface (i.e. brick, stamped dark colored concrete, or individual pavers, etc.,).
 - Address the following issues: whether a sidewalk will be required across the frontage, whether, in the case that a sidewalk is not constructed on this frontage, a short retaining wall will be provided for debris containment, as well as the appropriate plantings to provide a finished and attractive front yard.
 9. Prior to issuance of building permits for the property the applicant shall ensure that all construction can be completed within the subject property. Alternatively, the applicant shall provide written proof of authorization to perform construction or grading operations on adjacent property – 2843 & 2851 San Juan Boulevard (if necessary). Such proof of authorization shall be to the satisfaction of the City Attorney.
 10. The project is subject to Public Works Department and City Geologist review and approval with the following conditions:

- a. **Geotechnical Plan Review** – The applicant's geotechnical consultant shall review and approve all geotechnical aspects of the project building and grading plans (i.e., site preparation and grading, site drainage improvements and design parameters for foundations, retaining walls and driveway) to ensure that the geotechnical reports' recommendations have been properly incorporated. The results of the plan review shall be summarized by the geotechnical consultant in a letter and submitted to the City Engineer for review and approval prior to issuance of building permits.
 - b. **Stabilization of Construction Excavations** – To address the proposed temporary project cut slopes (apparently near vertical) on the order of 24 feet in height, a specific plan shall be developed by the property owners' project design team to address potential slope instability problems during project construction. The potential use of phased (top down) project construction that minimizes heights of unsupported excavations should be considered. Other design alternatives, such as using soil nails to stabilize temporary cuts, may be considered. A specific proposed plan to reduce the potential for failure of intended excavations shall be prepared, approved by the property owners' Geotechnical Consultant, and submitted prior to or with the first building permit application or grading permit for the project. This plan shall be to the satisfaction of the City Engineer prior to issuance of permits for initiation of project construction.
 - c. **Geotechnical Field Inspection** – The property owners' geotechnical consultant shall inspect, test (as needed), and approve all geotechnical aspects of the project construction. The inspections should include, but not necessarily be limited to: site preparation and grading, site surface and subsurface drainage improvements, and excavations for foundations and retaining walls prior to the replacement of steel and concrete. The results of these inspections and the as-built conditions of the project shall be described by the geotechnical consultant in a letter and submitted to the City Engineer for review prior to final (granting of occupancy) project approval.
11. The project is subject to Community Development Department and City Arborist review and approval with the following conditions regarding tree removal, tree retention measures, tree protection fencing and irrigation:
- a. **TREE PROTECTION FENCING:** Prior to issuing a permit for grubbing, demolition, tree removal, grading, or construction, the following shall occur:
 - I. Fencing must be erected around all oaks to be retained through Oak #26. The City Arborist shall review and approve tree protection fencing locations prior to the fencing installation and the commencement of any construction activity on the site.

- II. Fencing material used for all protective fences must be steel chain-link, at least six-feet in height, mounted on two-inch diameter galvanized iron posts 8-feet in length, driven a minimum of 24-inches into the ground. Posts must be mounted no farther than six-feet apart. This fence must be erected prior to any heavy machinery traffic or construction material arrival on site.
- III. The fenced off root protection areas shall be known as tree protection zones, or “TPZs”.
- IV. Compliance inspections will occur (1) at the time of fence erection and buffer installation, (2) during construction, and (3) after construction is complete. All fencing must remain in place until all construction is completed and the fencing and other protection has ~~been~~ received a final signoff letter from the City Arborist. No building or grading permit shall be issued, nor construction activity commenced on the site until the first inspection has been performed and the protection measures approved by the City Arborist.
- V. The protective fencing must not be temporarily moved during construction, unless as noted in this condition. No materials, excavated soil, liquids, or substances are to be placed or dumped, even temporarily, within the perimeter of this fence.
- VI. The fencing shall have waterproof signs posted on the fence, minimum 8X11” size, stating:

<p>TREE PROTECTION FENCE DO NOT ALTER OR REMOVE CALL CITY ARBORIST 48-HRS ADVANCE</p>

- b. **SILT FENCING:** Install TENAX brand or equivalent professional grade silt fencing with built-in wooden stakes as per package instructions, on the uphill side of the chain link tree protection fencelines around oaks #6, 8, and #9 to prevent materials and soil from entering the tree protection zones.
- c. **REPLACEMENT PLANTING:** Oaks cannot grow in the shade of larger existing oaks. Therefore, the 3 to 1 replacement planting cannot occur on site. The property owners shall pay in-lieu fees of \$6,300 to the City Parks Dept tree fund as per the master fee schedule in lieu of planting the required eighteen (18) 24” box size oak plantings on this heavily-wooded site for the removal of oaks #5, #10, #11, # 12, #X1 and #X2.
- d. **LANDSCAPE PLAN:** All proposed landscaping within driplines of existing trees shall consist only of soakers, bubblers or emitters connected to garden hoses or solid 1/2” poly line tubing lain over existing grade as drip irrigation systems. Plantings and bubblers/emitters shall be placed no closer than 15-linear feet from

the trunk edge of any existing oak tree on site. All proposed plantings shall be a minimum of 15-linear feet from any oak to be retained at this site.

- e. **DRIVEWAY RETAINING WALL:** In preparing the site construction plans, the linear distance between oaks #13 and #14 and the wall excavation face shall be the maximum consistent with good engineering practice and the site's constraints. A drain core sheet (ex. Mirafi products) instead of the standard French drain system, shall be used to minimize the required over-excavation behind the proposed wall, limiting the downhill root loss for these two oaks. In conjunction with assurance by property owners' geologist, City's Third Party Consultant Geologist, and City Engineer that the site is well designed from a stability and drainage perspective, the drain core sheet may be replaced with other drainage systems when deemed necessary. Where any drainage system changes may affect the retention of oaks #13 and #14, refer to the mitigation plan described in Condition I.A.11.j (Payment of Mitigation Fees).
- f. **GARAGE, ELEVATOR AND STAIRS:** The garage/elevator excavation area and stair construction on the north side of the proposed residence shall be limited to the extent consistent with sound engineering practice and site stability in order to avoid damage to the uphill sides of the root system of oak #6. Where this excavation or construction excavation may affect the retention of oak #6, refer to the mitigation plan described in Condition I.A.11.j (Payment of Mitigation Fees).
- g. **UPPER RETAINING WALL:** the final design of the upper retaining wall to the rear of the house shall maintain a minimum distance of 8-10 linear feet from the trunk edge of oak #23 to any soil disturbance. For oak #26, the final design shall maintain a minimum distance of 6-8 linear feet from the trunk edge to any soil disturbance. If this is not practical, then refer to the mitigation plan described in Condition I.A.11.j (Payment of Mitigation Fees).
- h. **OAK #9:** To retain oak #9, the following conditions shall apply:
 - a. For the "east wing" area of the residence, the foundation footprint shall be pier and true over-grade beam construction only, or a system of piers with a floating foundation. The existing grade between 0 to 15-linear feet from the trunk of oak #9 shall remain unaltered, including the portion of this area which will be located under the proposed house.
 - b. The trunk of oak #9 shall be supplied with a trunk buffer as per the following: wrap the trunk with three layers of orange snow fencing between zero and eight feet above grade. Lay vertical pieces of wood (2X4X8-ft pieces) continuously side by side around the entire circumference of the trunk. Continue wrapping snow fencing three times around this buffer of wood until the entire mass is secure. Wrap the outside with wires or secure with zipties to complete the trunk buffer.

- i. ARBORIST REVIEW OF CONSTRUCTION PLANS:** The property owners' arborist shall be provided with the specifications and construction plans for the grading and foundation and retaining walls in the vicinity of oaks #6, #9, #13, #14, #23, and #26, including any over-excavation requirements for drainage curtains, cut locations, materials used, cut heights, and other soil disturbances. The property owners' geologist and/or engineer shall consult with the project arborist to determine if there are alternative designs and/or construction techniques that could reduce potential impacts on these oaks. The project arborist shall prepare a written report regarding what additional foundation/retaining wall design or construction changes should be made to reduce the impacts on the identified oaks. This report shall be to the satisfaction of the Community Development Director or his designee, in consultation with the City Arborist. The Community Development Director or his designee shall determine which changes shall be required for the final specifications and construction drawings.
- j. PAYMENT OF MITIGATION FEES:** If any of the oaks #6, #9, #13, #14, #23, or #26, cannot be retained or decline during or after construction due to the effects of site plan project activities, then each tree not successfully retained shall be replaced with in-lieu fees (currently \$350X3) paid to the City Parks Dept tree fund. The property owners shall provide a financial guarantee (such as a bond, letter of credit, cash deposit, etc.) acceptable to the Community Development Director or his designee equal to the in-lieu fee for these six trees. The financial guarantee shall be provided prior to issuance of a building or grading permit and retained for two years after the final inspection or approval of occupancy of the house. The financial guarantee shall be provided prior to issuance of a building or grading permit. This financial guarantee shall be retained for two years after the final inspection or approval of occupancy of the house. Additionally, at this two year juncture a final inspection will be performed by the City Arborist at cost to the applicant to confirm the survival and health of trees # 6, 9, 13, 14, 23, and 26.
- k. TEMPORARY IRRIGATION:** The property owners shall set up a system of soaker hoses such that the entire chain link tree protection fencing along oaks #6, #8, #9, #13, and #14 has soaker hose lain against it on either the north or south sides of the fenceline depending on the situation. The soakers shall be run off an active hose bib at least once every 2-4 weeks, for a period of approximately 6-12 hours at a single soaking, or until the upper 24-inches of soil is thoroughly saturated (100% field capacity when tested with a moisture meter) during summer, fall, and winter, until the first significant rains. The City Arborist will periodically probe with a Lincoln meter soil moisture probe to confirm that this condition is being properly implemented. If a water supply is not available, then the property owners shall contact the City Arborist to develop an alternative approach at least 3-4 weeks before grading and excavation are to begin. The alternative approach shall be to the satisfaction of the community Development Director or his designee.

- l. MULCH:** A 4-inch thick layer of course wood chip (not bark chip) mulch shall be laid over the open soil rooting areas around oaks #6, #8, and #9 out to the canopy driplines, keeping the material at least 12-inches or more from the edge of the trunks. Mulch or other materials such as soils shall not be permitted to pile up against the trunks. A band of woodchips shall also be installed around trees #13, #14, #23, and #26 between the chain link tree protection fencelines and 10-feet uphill from the fencelines.
- m. MONITORING:** Prior to issuance of a building or grading permit, the property owners shall pay lump sum fee of \$2,600 for tree protection inspections.
- n. REMOVAL FEES:** Removal of trees #5, #7, #10, #11, #12, #X1, and #X2 will require that a tree removal fee be paid to Belmont's Tree Planting and Replacement Fund (currently in the amount of \$17,000 as per the 2004 master fee schedule). If any of the oaks #6, #9, #13, #14, #23, or #26 cannot be retained or decline during or after construction due to the effects of site plan project activities, then the appropriate tree removal fee, in accordance with the master fee schedule shall be paid.
- o. TREE MAP / PROTECTION PLAN:** The marked-up tree map with accurate tree locations and protection fencing locations, as well as this entire tree report with tree charts must be available on site at all times throughout the demolition, grading, construction, and landscaping periods.
- p. FERTILIZATION:** A balanced fertilizer such as 20-10-10 with micronutrients shall be applied by a qualified tree care company via soil injection to the open soil area around oaks #6, #8, #9, #13, #14, #23, and #26 before grading, excavation, and construction commence. The root zone of the trees should be at or near 100% field capacity soil moisture levels before fertilizer is injected which would be generally in the spring following the winter rains.
- q. PRUNING:** Pruning of existing trees, if performed, shall consist only of crown cleaning. All "crown cleaning" pruning of dead, dying, diseased, crossing, broken, and stub wood on existing trees to be retained shall be performed only by or under direct supervision of an ISA-certified arborist. A detailed receipt for this work may be requested by the city arborist at any time to verify compliance with this specification.
- r. UTILITIES/DRAINAGE:** All utilities, drain lines, and irrigation lines (cable TV, storm drains, downspouts, sewer, gas, water, electricity, French drains, PVC irrigation piping, etc.) must be routed to outside the existing canopy driplines of all trees being retained on site. Excavation or trenching, etc. may occur only in the area along the east side of the proposed driveway, outside the driplines of the oak forest consisting of oaks #1, # 2, # 3, #4, # 6, #8, and #9.

12. The applicant shall provide a written plan for construction staging and storage areas. This information shall be submitted in conjunction with application for a building permit for City review and approval.

Building Division

1. Prior to any construction, the applicant or a designated representative shall obtain all of the required building permits for the project.
- II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:
- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.
 1. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Photographs or video of before condition are recommended.
 2. A residential driveway approach shall be installed in accordance with Department of Public Works approved standards.
 3. Roof leaders and site drainage shall be directed to the City stormwater drainage system. A dissipator box or other energy reduction method shall be used.
 4. Roof downspout systems shall be designed to drain into designated, effective infiltration areas or structures (refer to the Bay Area Stormwater Management Agencies Association (BASMAA) Start at the Source Design Guidance Manual for Stormwater Quality Protection [available from BASMAA @ 510-622-2465]).
 5. The property owners shall apply for and secure encroachment permits (temporary or permanent) for the permanent improvements within the San Juan Blvd. public right-of-way. The extent of such required improvements shall be subject to Public Works and Community Development Department approval.

- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.
1. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.
 2. The property owner/applicant shall apply for and obtain a grading permit from the Department of Public Works. The grading permit fee is based on the total amount of earth moved including cut and fill.
 3. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.
 4. The owner/applicant shall perform a video inspection of the sewer lateral (if one currently exists on the lot) from the house/building to the sewer main, and submit the inspection to the Department of Public Works for review and make any necessary repairs to the lateral.
 5. The owner/applicant shall submit a grading plan prepared by a California-registered Civil Engineer in accordance with City Grading Ordinance, Chapter 9, Section 3 of the City Code, with a grading permit application, for approval by the Department of Public Works and Building Division prior to any grading or clearing being performed on-site. The plan shall incorporate the following restrictions:
 - a. All soils stockpiled on the site during construction shall be covered or otherwise protected from wind and water erosion.
 - b. During construction, erosion and sedimentation control plans shall be implemented in order to retain sediments on-site.
 - c. Site grading and finished construction shall be designed and executed in such a manner as to avoid diverting runoff onto other properties.
 - d. Restrictions and recommendation of the Geologic and Soils report as approved by the City's Geologist.
 6. The owner/applicant shall submit a dust control plan for approval by the Department of Public Works. To reduce dust levels, exposed earth surfaces shall be watered as necessary. The application of water shall be monitored to prevent runoff into the storm drain system. Spillage resulting from hauling operations along or across any public or private property shall be removed immediately. Dust nuisances originating from the contractor's operations, either inside or outside of the right-of-way shall be controlled.
 7. The proposed development will add impervious surface area to the property. The applicant shall provide calculations showing the total impervious area of the completed

project with the building permit application. Calculations shall be submitted to the Department of Public Works for review and approval.

8. Applicant shall install the sanitary sewer connection in accordance with Department of Public Works approved standards and pay the applicable sewer connection fee.
9. The Sanitary sewer shall include a back flow prevention device.
10. If PG&E is requiring the developer to put in the gas and/or electrical connection, then the developer must submit plans for the encroachment to the Department to Public Works.
11. The applicant shall submit an erosion and sedimentation control plan describing Best Management Practices (BMPs) to be used to prevent soil, dirt, and debris from entering the storm drain system. The plan shall include the following items:
 - a. A site plan showing the property lines, existing and proposed topography, and slopes; areas to be disturbed, locations of cut/fill and soil storage/disposal area; areas with existing vegetation to be protected; existing and proposed drainage patterns and structures; watercourses or sensitive areas on-site or immediately downstream of project; and designated construction access routes, staging areas and washout areas.
 - b. Erosion and sediment controls to be used during construction, selected as appropriate from the California Regional Water Quality Control Board, San Francisco Bay Region Erosion and Sedimentation Control Field Manual (available from: Friends of the San Francisco Estuary, P.O. Box 791, Oakland, CA 94604-0791).
 - c. Methods and procedures to stabilize denuded areas and install and maintain temporary erosion and sediment control continuously until permanent erosion controls have been established.
 - d. Provision for preventing erosion and trapping sediment on-site, such as sediment basins or traps, earthen dikes or berms, fiber rolls, silt fence, check dams, storm drain inlet protection, soil blankets or mats, covers for soil stock piles and/or other measures.
 - e. Provisions for installing vegetative cover in disturbed areas, including areas to be seeded, planted, and/or mulched, and types of vegetation proposed.
 - f. Provision for diverting on-site runoff around exposed areas and diverting off-site runoff around the project site (e.g., swales and dikes).
 - g. Notes, specifications, and/or attachments describing the construction, operation and maintenance of erosion and sediment control measures, including inspection frequency; methods and schedule for grading, excavation, filling clearing of vegetation and storage and disposal of excavated or cleared material; types of vegetative cover and mulch, including methods and schedules for planting and fertilization; and provisions for temporary and permanent irrigation.
12. All plans shall conform to the requirements of the City NPDES stormwater discharge permit and the San Mateo Stormwater Pollution Prevention Plan (STOPPP). The project plans shall include permanent storm water quality protection measures. The project plans shall identify Best Management Practices (BMPs) appropriate to the

uses to be conducted on-site to effectively prohibit the discharge of pollutants with storm water run-off. A Maintenance and Operation Agreement shall be prepared by applicant incorporating the conditions of this section.

C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.

1. After the City permits are approved but before beginning construction, the owner/applicant shall hold a preconstruction conference with Building and Public Works Department staff and other interested parties. The developer shall arrange for the attendance of the construction manager, contractor, and all subcontractors who are responsible for grading and erosion and sedimentation protection controls.
2. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.
3. Grading shall be performed in accordance with the City Grading Ordinance, Chapter 9 of the City Code. Soil or other construction materials shall not be stockpiled in the public right-of-way unless an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday unless otherwise specifically authorized by the Director of Public Works. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.
4. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.
5. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These includes, but are not limited to, the following:
 - a) Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - b) Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.
 - c) Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.
 - d) Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.

- e) Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.
 - f) Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
 - g) Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
 - h) Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
 - i) Limit construction access routes and stabilize designated access points.
 - j) Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.
6. If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the Department of Public Works may direct the developer to implement additional winterization requirements.

III. COMPLY WITH THE FOLLOWING CONDITIONS OF THE SOUTH COUNTY FIRE DEPARTMENT:

- 1. An approved automatic fire sprinkler system meeting the requirements of the South County Fire Protection Authority current ordinance shall be provided.
- 2. Address numbers shall be illuminated and visible on all new buildings. Rear addressing is/may also be required. Size of lettering and illumination shall meet South County Fire Standards.
- 3. A fire safety vegetation management plan shall be submitted before or in conjunction with the building permit application. This plan shall cover the area from the proposed house to the property line. Existing oaks shall be maintained within this area but other existing and proposed vegetation shall be subject to the review and approval of the fire safety vegetation management plan by South County Fire Authority.

IV. COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT

- 1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.

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2. No debris boxes or building materials shall be stored on the street.
3. Flag persons shall be positioned at both ends of blocked traffic lanes.
4. 24-hour written notice to the Police Department is required before any lane closure.

Certification of Approved Final Conditions:

Carlos de Melo,
Community Development Director

Date